

### Remarks/Arguments

This is a complete response to the Office Action mailed 12/21/2005 in which claims 1-13 were rejected. Claim 12 has been canceled. Claims 1-11 and 13 are pending. Reconsideration and further examination of the subject application are respectfully requested.

### Claim Rejections - 35 USC § 102

Claim 12 was rejected under 35 U.S.C. 102(b) as being anticipated by Scheps US 5530711 (hereinafter '711). As claim 12 has been canceled, the rejection is now moot.

### Claim Rejections - USC § 103

Claims 1-11 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over '711 in view of Scheps US 5307358 (hereinafter '358). Applicant respectfully traverses the rejection.

Applicant maintains that the 103(a) rejection of claims 1-11 and 13 fails to state a prima facie case of obviousness and should be withdrawn because neither alone nor in combination do the cited references teach operating a *laser diode system* (the pumping or excitation source) in non-steady-state mode as recited in independent claims 1, 7, and 13. For example, claim 1 (also representative of claims 7 and 13) states in part:

a *laser diode system* for generating and injecting said optical pump signal into said laser cavity along said optical axis, where said optical pump signal is a sequence of optical pulses having a pulse width of about  $n\tau_f$ , where  $\tau_f$  represents a fluorescence lifetime of said laser dye, and  $3 \leq n \leq 25$  so that *said laser diode system operates in a non-steady-state mode*. (emphasis added)

The Rejection is based on a misinterpretation of claims 1, 7, and 13 and the cited references '711 and '358. The Rejection confuses the claimed *dye laser* with the *laser diode system* as recited in claims 1, 7, and 13. It should be emphasized that the *dye laser* (overall device/output laser) is not claimed as operating in a non-steady-state mode. The

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section of '358 cited in the Rejection (col. 1 lines 56-62) is directed to overall device operation, but *not* to non-steady-state operation of the *pumping source*. Furthermore, the section of '711 cited in the Rejection is directed to a *dye laser* that produces a steady state emission for most of the duration of the excitation pulse, which is distinguishable from the operation of the *pumping source*.

### Conclusion

Based on the reasons above, Applicant respectfully requests reconsideration and that a Notice of Allowance be issued as to claims 1-11 and 13.

Respectfully submitted,



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